

# SHALT NOT ... EVEN BY LAW

Philosophers Denounce  
the Death Penalty  
as Wrong.

THEY CALL IT USELESS.

A Sign of Barbarism and an  
Incentive to Mob  
Violence.

USED BY ALL CLASSES.

Voltaire and Whittier, Cicero  
and Franklin, Bright and  
Seymour.

OF CHRISTIAN AND UNCIVILIZED

They Say It Does Not Prevent Murder,  
and Has Long Outlived Its  
Usefulness as a  
Safeguard.

Martin Place's crime was horrible, monstrous, heinous. It leaves in the mind the dreadful image of a beautiful young girl made blind, tortured, suffocated by a demon.

The criminal is not of the predestined type that Lombroso describes. She had the heredity, the environment, the education of a gentle woman.

She is not insane. Her anger was a vice of her infancy that she cultivated as others cultivate a virtue. If the law that inflicts capital punishment was ever just, it is just that it should be inflicted upon her. There is no excuse, there is no extenuating circumstance that may be invoked in her defense.

Her trial had not a flaw. In its course she had the impassibility of statues that have listened to the murmur of water falling in basins of fountains for centuries without a tremor.

Yet the vast majority of those who have written to the Journal on the subject—governors of States, sheriffs of counties, men of light and leading in public affairs, experts in medico-legal lore—pronounce strongly against the execution of the sentence of death pronounced upon her.

Every person who has seen the execution by electricity of a criminal sentenced to death may tell why. What he has to tell is his divine instinctively.

In long room, with its blank walls, has a of a left in a factory building. The a dentist's chair. The wires around the straps remind one of the instruments of torture that are in museums. A criminal enters by a door at the end. The prison, rising in the air like a war-torn city, looks down upon the eyes on the emblem to pray.

His face is not of features that are not of features of eyes converging upon a turns to them. They are eyes of young men, placid, idealized men, sagely inquisitive students.

Growsome Horror.

spoken in the Warden's room able vanity of the number of have attended. They speak of the evidence of the luncheon in a dining room, which is to be the condemned man has been

is hypnotized by vanity or and useless by a terrible fear, seem indifferent or to plead in

takes to go from the door to a minute, but the horror makes of it an hour, a day, a minute fall to fall on the chair push him against it, bend him like a puppet, strap his arms and rickety as highwaymen do. The are a sizzle of burning flesh, and, a strain of every muscle

among the men appointed by the to be witnesses of that terrible ceremony he is literally inaccessible to those that move humanity, remains

even those who boasted a moment of the number of executions they treated, are hardened enough now to be emotion; their impression is of being present at a crime, of having a death to prevent its achievement.

the death of a negro in the Sing Sing of a negro who had killed to rob of wealth in Queens County, of a who deserved not a movement of sympathy, several men admitted that their had been to rush to the chair and that is the natural human im

was their sentiment with a id it be with a woman?

ers Denounce it. Capital punishment has the following expressions by

Elizabeth, of Russia.

Experience demonstrates that the frequent repetition of capital punishment has ever yet made men better.—Grand Instructions for Framing a New Code of Laws for the Russian Empire.

Voltaire.

A man, after he is hanged, is good for nothing and punishments invented for the society ought to be useful to the solennissime Philosophique.

Cicero.

with this cruelty from the State? not, O judges! to prevail any the commonwealth! It has not fatal effect of cutting off so many fellow citizens in a most atrocious it is but eree punished from men latest disposition the sentiment of the familiar practice of slaughter.

Benjamin Franklin.

Benjamin Franklin.

## A BLOT UPON MANHOOD.

**ROSCOE CONKLING**—At no time should a woman's life be put in danger. Our civilization surely is too far advanced to permit the killing of a woman by process of law. It is bad enough, God knows, to hang a man. A woman's life should never be taken, even though she has been found guilty of the awful crime of murder. The hastening to eternal judgment of a woman's soul, by order of a civilized judge, in a civilized court of a civilized country, is a blot upon the manhood of this nation.—*Argument in the case of Clara O'Connell.*

## SPECIAL SIGN OF BARBARISM.

**VICTOR HUGO**—What is the death penalty if not the special and eternal sign of barbarism? Wherever capital punishment is frequent savagery predominates; wherever capital punishment is rare civilization reigns.—*Speech in the National Assembly, 1848.*

punishment of death for murder, because I consider it an improper punishment for any offence.—*Literary Remains.*

## William Cullen Bryant.

I am heartily with you, as you know, in your warfare against the barbarous practice of punishment by death, and my prayer is that your labors may be crowned with perfect success. Sooner or later I am confident that the infliction of the penalty of death by the law will become obsolete through the civilized world as torture by the rack.—*Letter to M. H. Bovee.*

## John G. Whittier.

I have given the subject of capital punishment much consideration, and have no hesitation in saying that I do not regard the death penalty essential to the security and well-being of society; on the contrary, I believe that its total abolition, and the greater certainty of conviction which would follow, would tend to diminish rather than increase the crime. It is a barbarous punishment.—*Letter to William J. Linton, English republican, engraver and poet.*

## Alice Cary.

I cannot possibly add anything to the force of what must have been already said against the crime of capital punishment. As I regard it, the second murder is worse than the first; for the first may have been attended with extenuating circumstances—not so the second.

## Henry W. Longfellow.

I am, and have been, for many years, an opponent of capital punishment. It would be useless to state my reasons. They are, in the main, the same, doubtless, as those which influence your own action in the matter.—*Letter to M. H. Bovee.*

## Horatio Seymour.

I am a strong believer in the influence of hope rather than that of fear. The longer I live and the more I see and learn of men, the more I am disposed to think well of their hearts and poorly of their heads.—*Letter to M. H. Bovee.*

## Horace Greeley.

My objections to capital punishment may be summed up in a few words. They are: I hate vengeance, I dread human fallibility, I would inculcate as impressively as possible the sanctity of human life.—*Letter to M. H. Bovee.*

## Charles Sumner.

Every execution now seems like a confession of weakness, if not of cowardice.

## Henry Ward Beecher.

There is no need of the death penalty. It does not answer well the needs of justice and often defeats them. We ought, long ago, to have done with it.

## Wendell Phillips.

The death penalty could never have been defended except on the ground of absolute necessity, in order to protect society. It would be absurd to make any such plea for it now, since we all know that, with the resources of modern times, we can keep a man within four walls as long as we see fit. That guards the community; and we have no right to punish him in order to deter others from following in his footsteps.

## Robert G. Ingersoll.

The death penalty inflicted by government is a perpetual excuse for mobs. The greatest danger in a republic is a mob, and as long as States inflict the penalty of death mobs will follow the example. If the State does not consider life sacred, the mob, with ready rope, will strangle the suspected. The mob will say the only difference in the trial of the State does the same. We know the man is guilty. Why should time be wasted in technicalities? In other words, why may the mob do quickly what the State does slowly?—*"Crime Against Criminals."*

## William D. Howells.

I have long thought it cruel to the Sheriff and his deputies to force them to this hangman's work and monstrous to let some imbecile wretch make legal killing in his trade, and I have proposed that the executioner should be drawn from society at large, as jurors are, and no excuse should avail except the oath of the person drawn that he is conscientiously opposed to capital punishment. This system, which is perfectly practicable, would give from time to time men of every profession and station the opportunity to attest their devotion to the great principle that it is wrong to take life, a second wrong of the kind dresses the balance and makes it right.

## Father Mathew.

I have been about thirty years in the ministry, and I have never yet discovered that the founder of Christianity has delegated to man any right to take away the life of his fellow man.

## Elizabeth Cady Stanton.

There will be no gallows, no dungeons, no needless cruelty in solitude when mothers make the laws.—*Letter to M. H. Bovee.*

## Beccaria.

To inflict the death penalty is to violate right. You say that it is necessary. Well, a penalty is not just merely because it is necessary. Justice was not founded on necessity.—*"Treatise on Crimes and Penalties."*

## SEEK REFORMS IN MILLINERY TRADE.

The National Association of  
Wholesale Merchants to  
Correct Existing Evils.

A STRONG ORGANIZATION.

By Co-operation a Complete  
Change in Business Methods  
Will Be Secured.

Reform in certain business customs which exist in the wholesale millinery trade is the object of the National Association of Millinery Merchants, which met yesterday afternoon at the Broadway Central Hotel and decided to become a permanent organization. It does not intend to wage war against the use of birds on bonnets, regulate the size of the theatre hats or dictate what shall be the fashionable color for Autumn.

The Association was formed last January. Charles W. Farmer, the secretary, announced that he had received answers from fifty-two firms accepting membership. These, with the eight who replied in person at yesterday's meeting, will enable the Association to begin its work with about one-fourth of all the wholesale millinery merchants of the United States on its list of members.

The Association's motto will be, "Reform in dealings and discounts," and it will endeavor to correct the existing methods of retailing goods.

John L. Baker was the chairman at yesterday's meeting. Mr. Zukowski, of the New York millinery company, of St. Louis, Mo., told of some of the abuses in the wholesale millinery trade. One of those he said was the practice of employing inexperienced women in trimming departments, because they were able to control the trade.

We even present them with railroad passes out West," he said.

Mr. Toplitz, of the firm of R. L. Toplitz & Co., of San Francisco, wanted the association made a permanent organization, and advocated giving the committee on organization power to elect officers from among the members of the association, and to do so to whatever the best interests of the organization.

The motion was adopted and at the suggestion of Chairman Baker, Secretary Farmer was made a member of the committee, which is composed of Mr. J. P. Prendergast, of Charles S. La Vake & Co.; S. C. Hill, of Hill Brothers, and James Drew, of Sullivan, Drew & Co.; Dan Neubaum, of M. Deaneham, Sons & Co., Philadelphia; and Walter Tilton, of Clapp & Tilton, Boston.

The committee will meet monthly, but the National Association of Millinery Merchants will not meet again until next January, by which time the members hope that the work of organization will be completed.

## TRIED TO CHOKER HER NEIGHBOR.

Mrs. McCarthy, Who Took Poison by  
Mistake, Taken Insane to  
Bellevue.

Mrs. Mary McCarthy, who was taken to the Flower Hospital Friday suffering from poison, which she took by mistake, was discharged Friday evening. The physicians of the hospital noticed that her mind was affected, but thought she was harmless, and allowed her to return to her home on a third floor of No. 322 East Fifty-sixth street.

During the night she turned her eight-year-old boy out of doors, and later she began to scream and act queerly. She yesterday morning Mrs. Miller, who lives on the first floor, attempted to quiet her, and Mrs. McCarthy seized her by the throat and tried to choke her. She was arrested by Policeman Manger, of the East Fifty-seventh street station, and taken to Bellevue Hospital.

## Fears That Sergt. Green Was Killed.

The friends of First Sergeant John Green of the Twentieth Infantry, are alarmed over his strange disappearance. Sergeant Green was formerly in the Thirtieth Infantry. When he was taken to the Twentieth Infantry and sent to Cuba, since the battle of San Juan Green has not been heard from. Word was received from San Juan that he had not been seen since the battle. Green has a wife and seven small children living at Fort Slocum.

## Suit Over Church Property.

The New Jersey Chancery Court has granted an order requiring the trustees of the Wesley M. E. Church, of Belleville, to show cause why the church should not be restrained from selling the church property. The church was organized in 1892, and the trustees were named in the deed. The trustees were to sell the old site and build a new church on the new site. The trustees have refused to do so, and the church has been in a state of confusion ever since.

An invaluable and very artistic book pertaining to the summer excursion rates and the Pennsylvania Railroad, it contains extension rates and shows the exact location of all the principal summer resorts and the easiest way to approach them from central points, gives the exact cost of each trip, railroad changes, hotels, etc.

The book also publishes a short and entertaining description of the various resorts and of the different hotels and stopping places, their capacity, etc. It is admirably arranged for quick reference, and contains many beautiful illustrations, besides maps. One is able at home to figure out in a very few minutes the exact cost of an excursion to almost any choice location, for a vacation reached by this extensive railroad system.

68,601 "WANTS"

GAINED DURING THE

PAST SIX MONTHS.

Journal "Wants"

Bring Quick Results.

## RECTOR'S DAUGHTER ESCAPES A WHEEL.

Evelyn C. Graham, of Mount  
Vernon, and Ralph E.  
Briggs Wed Secretly.

HAPPENED JANUARY 10.

Bride's Father, the Rev. Samuel  
T. Graham, Has Forgiven  
the Pair.

Church and society circles in Mount Vernon are stirred to their depths by the announcement made yesterday by the Rev. Samuel T. Graham, rector of Trinity Episcopal Church, that his daughter, Miss Evelyn C. Graham, was married, on January 10, to Ralph E. Briggs.

Behind this tardy announcement is the story of a romantic courtship, an engagement which did not meet with the minister's hearty approval, an elopement and a secret marriage.

The first mail yesterday morning brought Dr. Graham a letter from his pretty daughter, dated Binghamton, N. Y., where she is spending her delayed honeymoon. In it she told him of her marriage, and begged his forgiveness. This was sent by return mail.

Briggs, who is twenty-two years old, is one of the most popular young women in Mount Vernon. She is very young, and is alluring to her as a bicycle suit, and an impromptu marriage was twice as desirable as a formal one.

So it was that, on January 10, she started out for a bicycle ride with young Evelyn C. Graham, and came back that evening Mrs. Ralph E. Briggs.

Mr. Briggs is twenty-three years old, a musician, and a court stenographer. He was introduced to her by Mr. Wilson, the organist of her father's church.

Mr. Briggs is a native of Mount Vernon, and his father, Mr. Wilson, is a native of New York City. He was introduced to her by Mr. Wilson, the organist of her father's church.

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## BIKE COURTSHIP ENDS IN BIGAMY.

Girl's Stepfather Asks Fas-  
cinating Stranger to Direct  
Them to Coney Island.

PILOT BECOMES HUSBAND.

Now He Is in Prison, with a  
wife from Boston Waiting  
to Testify Against Him.

Out of the free masonry between bicyclists on the road has arisen this story of love, bigamy and a home despoiled. William Furness, who lives at Fifth avenue and One Hundred and Twentieth street, had no thought beyond a pleasant ride with his wife and stepdaughter when he asked an apparently well-bred stranger with a bicycle whom he encountered on board a Twenty-third street ferryboat to direct him to Coney Island.

"You ride up Broadway a few blocks and turn to the right into Bedford avenue," began the stranger. Then, looking into the animated face of Miss Florence Colston, Mr. Furness's stepdaughter, he added, "But I'm riding out there myself, and I'll be only too happy to show you the way."

His offer was accepted with gratitude, and the Furness party were soon on terms of friendship with their pilot. He introduced himself as Willard Wilkinson, and said he lived at No. 123 West One Hundred and Thirty-seventh street. They remained together all day. The young people entered each other without difficulty, Miss Colston with her experiences at college as a "road" and Wilkinson with narratives of his travels throughout the United States.

And when, at the close of a jolly day, he asked to be allowed to call, Mr. Furness did not refuse him. He was a "road" and Wilkinson with narratives of his travels throughout the United States.

That was three or four weeks ago, and the sequel shows that Wilkinson made good use of his time. A day or two ago Mr. Furness called upon Captain McCusky, of the Detective Bureau, and asked him to find Wilkinson, whom he accused of having married his stepdaughter in spite of the fact that he already had a wife and child in Boston.

Mr. Furness said he had been told by a friend that Wilkinson was in the city, and he had been told by a friend that Wilkinson was in the city, and he had been told by a friend that Wilkinson was in the city.

Wilkinson told Captain McCusky, when arrested, that he had married Miss Colston at the City Hall yesterday week, after a courtship of ten days, mostly spent in the bicycle suit, and that he had been told by a friend that Wilkinson was in the city.

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## "BARBER CASE" IS SETTLED AT LAST.

United States Supreme Court  
Decides in Favor of  
the State.

HAVNOR MUST PAY FINE.

Collins Act Regulating Sunday  
Shaves Declared to Be  
Constitutional.

The Supreme Court of the United States has just rendered a decision in favor of the State in the case of Henry J. Havnor, plaintiff in error, against the people of the State of New York, which was argued by District Attorney Asa Bird Gardiner on behalf of the people. The judgment under which Havnor was convicted in 1895 is affirmed. This action has been known as the "barber case."

The Legislature of New York, previous to 1895, passed an act, commonly called the Collins act, making it a misdemeanor for any barber to ply his trade within the State at any place on Sunday except in the city of New York and the village of Saratoga Springs, where they were permitted to work until 1 o'clock Sunday afternoons.

Havnor was arrested for a violation of this act and tried and convicted in the Court of Special Sessions in 1895. He was fined \$5. The Appellate Division of the Supreme Court and the Court of Appeals both affirmed the judgment. Havnor took an appeal to the Supreme Court of the United States on the ground, among others, that the act was void under the Constitution of the United States, and further under the State Constitution, as it deprived him of equal protection of the laws and was an unwarranted exercise of the police power, was class legislation and unwarrantable within the provisions of the Constitution.

Albert J. Rice argued the case for Havnor. The District Attorney argued that there was no Federal question involved; that the act was a legitimate exercise of the police power vested in the Legislature, and that whatever might be said as to the reasonableness of making any exception in a general statute, when Havnor was arrested for violating the act, he was in the city of New York. It was after 1 o'clock on Sunday, when the law was actually uniform throughout the State.

This is the second case which District Attorney Gardiner has been called upon to argue in the Supreme Court of the United States in behalf of the people. The other case was that of Dr. Benjamin Hawker, in which argument was had during District Attorney O'Leary's regime, and the court equally divided, making a reargument necessary. Mr. Gardiner won the case.

## Rockefellers Fight Taxes.

H. H. Rockefellers and William Rockefeller, Jr